

APPENDIX A

P.L. 104-333: Omnibus Parks and Public Lands Management Act of 1996 SEC. 511. NEW BEDFORD NATIONAL HISTORIC LANDMARK DISTRICT.

(a) Findings and Purposes.

(1) *Findings.*

The Congress finds that—

(A) the New Bedford National Historic Landmark District and associated historic sites as described in subsection (c)(2), including the Schooner Ernestina, are National Historic Landmarks and are listed on the National Register of Historic Places as historic sites associated with the history of whaling in the United States;

(B) the city of New Bedford was the 19th century capital of the world's whaling industry and retains significant architectural features, archival materials, and museum collections illustrative of this period;

(C) New Bedford's historic resources provide unique opportunities for illustrating and interpreting the whaling industry's contribution to the economic, social, and environmental history of the United States and provide opportunities for public use and enjoyment; and

(D) during the nineteenth century, over two thousand whaling voyages sailed out of New Bedford to the Arctic region of Alaska, and joined Alaska Natives from Barrow, Alaska and other areas in the Arctic region in subsistence whaling activities; and

(E) the National Park System presently contains no sites commemorating whaling and its contribution to American history.

(2) *Purposes.*

The purposes of this section are—

(A) to help preserve, protect, and interpret the resources within the areas described in

subsection (c)(2), including architecture, setting, and associated archival and museum collections;

(B) to collaborate with the city of New Bedford and with associated historical, cultural, and preservation organizations to further the purposes of the park established under this section; and

(C) to provide opportunities for the inspirational benefit and education of the American people.

(b) Definitions.

For the purposes of this section—

(1) *the term “park”* means the New Bedford Whaling National Historical Park established by subsection (c); and

(2) *the term “Secretary”* means the Secretary of the Interior.

(c) New Bedford Whaling National Historical Park.

(1) *Establishment.* In order to preserve for the benefit and inspiration of the people of the United States as a national historical park certain districts structures, and relics located in New Bedford, Massachusetts, and associated with the history of whaling and related social and economic themes in America, there is established the New Bedford Whaling National Historical Park.

(2) *Boundaries.*

(A) The boundaries of the park shall be those generally depicted on the map numbered NAR-P49-80,000-4 and dated June 1994. Such map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

In case of any conflict between the descriptions set forth in clauses (i) through (iv) and such map, such map shall govern. The park shall include the following:

- (i) The area included with the New Bedford National Historic Landmark District, known as the Bedford Landing Waterfront Historic District, as listed within the National Register of Historic Places and in the Massachusetts State Register of Historic Places.
- (ii) The National Historic Landmark Schooner Ernestina, with its home port in New Bedford.
- (iii) The land along the eastern boundary of the New Bedford National Historic Landmark District over the east side of MacArthur Drive from the Route 6 overpass on the north to an extension of School Street on the south.
- (iv) The land north of Elm Street in New Bedford, bounded by Acushnet Avenue on the west, Route 6 (ramps) on the north, MacArthur Drive on the east, and Elm Street on the south.

(B) In addition to the sites, areas, and relics referred to in subparagraph (A), the Secretary may assist in the interpretation and preservation of each of the following:

- (i) The southwest corner of the State Pier.
- (ii) Waterfront Park, immediately south of land adjacent to the State Pier.
- (iii) The Rotch-Jones-Duff House and Garden Museum, located at 396 County Street.

(iv) The Wharfinger Building, located on Piers 3 and 4.

(v) The Bourne Counting House, located on Merrill's Wharf.

(d) Related Facilities.

To ensure that the contribution of Alaska Natives to the history of whaling in the United States is fully recognized, the Secretary shall provide—

- (1) *financial and other assistance* to establish links between the New Bedford Whaling National Historical Park and the North Slope Borough Cultural Center, located in Barrow, Alaska; and
- (2) *to provide appropriate assistance* and funding for the North Slope Borough Cultural Center.

(e) Administration of Park.

(1) *In general.* The park shall be administered by the Secretary in accordance with this section and the provisions of law generally applicable to units of the National Park System, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2, 3, and 4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467).

(2) Cooperative agreements.

(A) The Secretary may consult and enter into cooperative agreements with interested entities and individuals to provide for the preservation, development, interpretation, and use of the park.

(B) Any payment made by the Secretary pursuant to a cooperative agreement under this paragraph shall be subject to an agreement hat

conversion, use, or disposal of the project so assisted for purposes contrary to the purposes of this section, as determined by the Secretary, shall result in a right of the United States to reimbursement of all funds made available to such project or the proportion of the increased value of the project attributable to such funds as determined at the time of such conversion, use, or disposal, whichever is greater.

(3) *Non-federal matching requirements.*

(A) Funds authorized to be appropriated to the Secretary for the purposes of—

- (i) cooperative agreements under paragraph (2) shall be expended in the ratio of one dollar of Federal funds for each four dollars of funds contributed by non-Federal sources; and
- (ii) construction, restoration, and rehabilitation of visitors and interpretive facilities (other than annual operation and maintenance costs) shall be expended in the ratio of one dollar of Federal funds for each one dollar of funds contributed by non-Federal sources.

(B) For the purposes of this paragraph, the Secretary is authorized to accept from non-Federal sources, and to utilize for purposes of this section, any money so contributed. With the approval of the Secretary, any donation of property, services, or goods from a non-Federal source may be considered as a contribution of funds from a non-Federal source for the purposes of this paragraph.

(4) *Acquisition of real property.* For the purposes of the park, the Secretary may acquire only by donation

such lands, interests in lands, and improvements thereon within the park as are needed for essential visitor contact and interpretive facilities.

(5) *Other property, funds, and services.* The Secretary may accept donated funds, property, and services to carry out this section.

(e) General Management Plan.

Not later than the end of the second fiscal year beginning after the date of enactment of this Act, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a general management plan for the park and shall implement such plan as soon as practically possible. The plan shall be prepared in accordance with section 12(b) of the Act of August 18, 1970 (16 U.S.C. 1a-7(b)) and other applicable law.

(f) Authorization of Appropriations.

(1) *In general.* Except as provided in paragraph (2), there are authorized to be appropriated such sums as may be necessary to carry out annual operations and maintenance with respect to the park and to carry out the activities under section 3(D).

(2) *Exceptions.*

In carrying out this section—

(A) not more than \$2,000,000 may be appropriated for construction, restoration, and rehabilitation of visitor and interpretive facilities, and directional and visitor orientation signage;

(B) none of the funds authorized to be appropriated by this section may be used for the

operation or maintenance of the Schooner Ernestina; and

(C) not more than \$50,000 annually of Federal funds may be used for interpretive and education programs for the Schooner Ernestina pursuant to cooperative grants under subsection (d)(2).

PUBLIC LAW 106-176

106TH CONGRESS

AN ACT

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.
Mar. 10, 2000
[H.R. 149]

114 STAT. 27 Public Law 106-176-MAR. 10, 2000

Sec. 111. NEW BEDFORD WHALING NATIONAL HISTORICAL PARK.

(a) Section 511 of Division I of the Omnibus Parks Act (110 Stat. 4160; 16 U.S.C. 410ddd) is amended as follows:

(1) *In the section heading*, by striking “NATIONAL HISTORIC LANDMARK DISTRICT” and inserting “WHALING NATIONAL HISTORICAL PARK”.

(2) *In subsection (c)*

(A) in paragraph (1) by striking “certain districts structures, and relics” and inserting “certain districts, structures, and relics”; and

(B) in paragraph (2)(A)(i) by striking “The area included with the New Bedford National

Historic Landmark District, known as the” and inserting “The area included within the New Bedford Historic District (a National Historic Landmark District), also known as the”.

(3) *In subsection (d) (2)*, by striking “to provide”.

(4) *By redesignating the second subsection (e) and sub-section (f) as subsections (f) and (g), respectively.*

(5) *In subsection (g) as so redesignated—*

(A) in paragraph (1), by striking “section 3(D).” and inserting “subsection (d).”; and

(B) in paragraph (2)(C), by striking “cooperative grants under subsection (d)(2).” and inserting “cooperative agreements under subsection (e)(2).”.